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DOCKET NO.: 3802-013-27

ASSISTANT COMMISSIONER FOR PATENTS  
PO BOX 1450  
ALEXANDRIA, VA 22313-1450

Re: Serial No.: 09/762,476  
Applicant(s): Michael MENDEZ, et al.  
Filing Date: September 27, 2001  
For: HYBRID YEAST-BACTERIA CLONING SYSTEM AND USES  
THEREOF  
Group Art Unit: 1636  
Examiner: Ramin Akhavan

SIR:

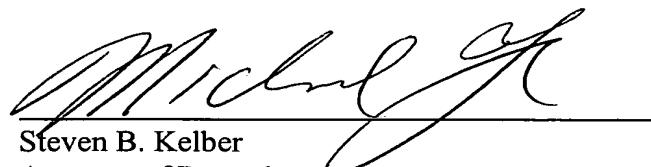
Attached hereto for filing are the following papers:

Response to Notice of Non-Responsive Amendment

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary extension of time to make the filing of the attached documents timely, please charge or credit the difference to Deposit Account No. 50-1442. Further, if these papers are not considered timely filed, then a request is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

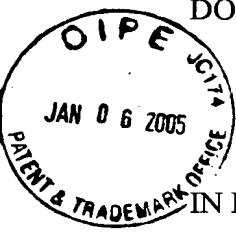
Respectfully submitted,

DLA PIPER RUDNICK GRAY CARY U.S. LLP



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DOCKET NO. 3802-013-27 NAT'L

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: Michael MENDEZ, et al.

ART UNIT: 1636

SERIAL NO.: 09/762,476

EXAMINER: Ramin Akhavan

FILING DATE: September 27, 2001

FOR: HYBRID YEAST-BACTERIA CLONING SYSTEM AND USES THEREOF

**RESPONSE TO NOTICE OF NON-RESPONSIVE AMENDMENT**

ASSISTANT COMMISSIONER FOR PATENTS  
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SIR:

Responsive to the outstanding Notice of Non-Responsive Amendment dated December 15, 2004, entry of the following amendments is respectfully requested.